

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

| | | |
|----------------------------------|---|------------------------|
| FRANCIS X. MOORE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 04-10922-DPW |
| |) | |
| INTERNAL REVENUE SERVICE (UNITED |) | |
| STATES GOVERNMENT), |) | |
| |) | |
| Defendant. |) | |

STATUS REPORT AND PROPOSED DATES

Mr. Moore initiated this refund action with respect to a small portion of the liabilities assessed against him as a responsible person for the American Legion Post #368 pursuant to 26 U.S.C. § 6672 which he paid. The United States initiated a counterclaim to reduce the unpaid § 6672 assessments in the amount of approximately \$19,000.00 to judgment for the periods ending December 31, 1995. The parties completed discovery in this matter, and then moved for a stay of the proceedings to allow the Internal Revenue Service time to consider settlement of the employment tax liability with American Legion Post #368. Those discussions have ended, and Mr. Moore's liabilities remain unresolved.

Thus, the parties now propose the following dates for pre-trial memoranda and trial:

- a. Joint Pre-Trial Memorandum: October 26, 2005
- b. Final Pre-Trial Conference: November 2, 2005

c. Trial Date: November 16, 2005

The parties anticipate that trial will take approximately 1 day to complete.

RESPECTFULLY SUBMITTED,

MICHAEL J. SULLIVAN
United States Attorney

I hereby certify that a true copy of the
above document was served upon (each party
appearing pro se and) the attorney of record
for each other party by mail on

9/12/05 - Lydia Bottome Turanchik

/s/ Lydia Bottome Turanchik
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